

**STATEMENT BY ATLAS RESTAURANT GROUP'S ATTORNEY,
SCOTT H. MARDER**

July 2, 2020

Last month, Ms. Marcia Grant, the mother of nine-year-old Dallas Grant, released a portion of cell phone video of an incident at the Ouzo Bay restaurant, in Baltimore, Maryland. During this incident, the manager on duty at Ouzo Bay informed Ms. Grant that she and Dallas could not dine at Ouzo Bay at that time because Dallas' shorts did not meet the restaurant's dress code. Although the interaction between Ms. Grant and the restaurant's personnel lasted approximately 10 minutes, Ms. Grant released only a portion of the video.

After seeing the video, Atlas leadership was immediately appalled and disappointed in the lack of sensitivity, discretion, and customer service demonstrated by the Ouzo Bay personnel who turned away Ms. Grant and Dallas. Even though Dallas' shorts did not comply with the restaurant's dress code, Atlas believed that the on-duty managers should have exercised better judgment and discretion and seated Ms. Grant and her young son. Two Ouzo Bay managers were terminated after an investigation.

Within thirty minutes of learning of the incident, Atlas' owners reached out to Ms. Grant through various channels with the hope of engaging in a constructive, healing dialogue. When Ms. Grant did not respond, Atlas continued to reach out to her more than a dozen times. Despite these efforts, Ms. Grant still refuses to meet to begin a constructive, open dialogue.

Instead, Ms. Grant interviewed lawyers in Baltimore and eventually hired a Philadelphia lawyer and a Los Angeles publicist. She has opened multiple social media accounts in her son's name, started a GoFundMe page (and then took it down), and put her son on an orchestrated media tour, including appearing on Good Morning America.

In contrast, Atlas took significant steps to ensure that this type of incident does not happen again at any of its restaurants. Atlas immediately revised its dress code throughout its restaurants so that it no longer applies to children who are accompanied by an adult, and reinforced with its staff the appropriate implementation of the dress code. Atlas has also acted to better educate its staff on diversity, inclusiveness, and implicit bias. These efforts continue.

Beyond this, Atlas also announced the formation of its Corporate Social Responsibility Board. Even before this incident, last month (in the midst of a pandemic) Atlas began forming a foundation to more effectively direct its giving in Baltimore City. Long before this incident, Atlas demonstrated by its actions that everyone must be a part of the long-term solution to eradicate the sense of hopelessness and injustice that people of color face daily. Atlas will continue to be a force of change in this movement. Most people would be surprised to learn about the broad support that Atlas and its owners provide to grassroots programs in Baltimore City. Atlas does not typically publicize its giving because it does so for the right reasons, not for publicity. However, given the criticism of this past week, it is important for people to know that Atlas, through significant financial giving and volunteerism, supports countless nonprofits and community organizations in Baltimore City. Atlas also distributed over 7,000 bags of groceries during the pandemic.

Although the tragic murder of George Floyd, and other recent events, have highlighted the discrimination faced by people of color in this nation, Atlas had been working to promote equality long before Mr. Floyd's death and will continue its efforts in our great city.

Unfortunately, certain people in our community have also tried to use this incident to their advantage, including two of our elected leaders. Without contacting Atlas or any of its representatives to learn all of the facts, State Senator Jill Carter and Baltimore City Council President Brandon Scott (who presumably will be our next mayor) publicly accused Atlas of racism. These statements are untrue, irresponsible, and inexcusable. Senator Carter even went beyond this and said that Baltimore City does not need Atlas. While Senator Carter may not need a job, Atlas' 700 employees (who are on the front lines in a pandemic) need and want these jobs to feed and support their families. We expect more from our elected officials. Both Senator Carter and President Scott owe Atlas' workforce (which is diverse at all levels of the company) an immediate, public apology.

There are other important facts that offer additional perspective:

- Dallas' athletic shorts violated the Ouzo Bay dress code policy. The shorts worn by the other child in the restaurant were actually J. Crew "khaki" type shorts, with front and back pockets, a zipper, and button closure in front. This type of shorts did not violate Atlas' dress code. Here is a link to the actual shorts worn by the other child:
https://www.jcrew.com/p/L9995?intcmp=bheader_shorts_stanton
- At the same time that Ms. Grant and Dallas were told they could not dine at Ouzo Bay because of Dallas' shorts, the restaurant had numerous tables with African-American patrons dining in the restaurant and enjoying the bar area. These African-American guests included families with children. Screenshots with examples of these other patrons taken at the same time that Ms. Grant and Dallas were at Ouzo Bay are included with this press release, although the faces of these guests have been blurred for their privacy.
- Restaurant surveillance video throughout that same day at Ouzo Bay demonstrates that the customers of Ouzo Bay look exactly like the population of Baltimore City – diverse. Countless African-American patrons were welcomed into the restaurant that day to enjoy its food, atmosphere, and drinks.
- Although Ms. Grant appeared to record several minutes of her interaction with the Ouzo Bay personnel, she only released a portion of her encounter. Had she released the entire encounter, the video would have shown the restaurant's manager walking her over to the dress code sign at the front door and discussing it directly with her. Atlas calls on Ms. Grant to release the entire video, so that the public can judge for themselves everything that happened during this encounter.

To be clear, Marcia Grant and Dallas were not turned away because they were African-American. They were not discriminated against. The dress code was applied equally to them, as it has been to every person who walks through the front door, regardless of their race. This was a failure of management, not discrimination. Because Atlas was not satisfied with the level of sensitivity, discretion, and judgment demonstrated by management on-duty at the time, Atlas terminated their employment.

There is no question that former disgruntled employees, and others, will make allegations against Atlas during this time, as is common with virtually all companies in many industries. It does not mean the allegations are true or made with pure motivation. Importantly, there is an overwhelming number of employees and customers who firmly believe in the Atlas brand, its equitable operation and outstanding customer experience it delivers on a daily basis. In fact, I have included with this press release the statements from a variety of Atlas' diverse employees, as well as Atlas' minority-owned security company (whose employees are 95% diverse), who tell a completely different story. These people all say that Atlas does not discriminate and treats all people equally.

Because Ms. Grant filing a lawsuit appears imminent, I have directed Atlas to refer all questions about this matter to its legal team. We will vigorously defend against this lawsuit. Sadly, taken away is the unique opportunity for diverse adults to come together, set an example, openly communicate, manage conflict, and model behavior that many would benefit from. Atlas had hoped to avoid this unnecessary and destructive point that is unlikely to result in a positive outcome for anyone, particularly a young, impressionable child. Nonetheless, Atlas will continue to take steps to address this incident and reinforce its commitment to equity, fairness, and inclusion for everyone.

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